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August 14, 2023

Honorable Brett H. Ludwig
Chief Judge, Eastern District of Wisconsin
United States District Court
517 E. Wisconsin Avenue
Milwaukee, WI 53202

RE: USA v. Richard Mosqueda
Case No. 21-CR-223-004

Dear Judge Ludwig:

In anticipation of Richard Mosqueda's sentencing hearing on September 8, 2023, defense counsel submits this sentencing letter. For the reasons set forth below, defense counsel is requesting a time served sentence with a term of supervised release of no more than three years.

While the sentencing guidelines call for a sentence in the range of 51 to 63 months, defense counsel is recommending a non-guideline sentence in light of several mitigating factors, coupled with the factors to be considered in imposing a sentence pursuant to 18 U.S.C § 3553.

As the Court looks at the history and characteristics of the defendant, Richard Mosqueda has no known juvenile adjudications, and while he does have adult criminal convictions, his last conviction was in 2002. He has been in custody since March 8, 2022. The last 17 months have been difficult for him as he navigates life in custody. He has dealt with being away from what is most important in his life, his family. Richard Mosqueda has been away from his three youngest children, who depend on him most. His 73-year-old mother has been tasked with taking over the duties of taking care of his children, especially his 9-year-old daughter. This weighs heavily on him. He knows his mother at 73 should not be raising his 9-year-old daughter.

Family is one of the most important things to Richard Mosqueda. The time he has spent away from his family is a result of his own actions. It is something he thinks about every day and causes him great pain. He is hoping to be able to reunite with his family as soon as possible. Richard Mosqueda knows his incarceration is having a lasting effect on his children, they are in their formative years, and neither one of their parents is currently present. As he stated in the report, he is the primary parent as their mother is not present.

Richard Mosqueda became involved in this conspiracy via one of his old co-workers. He was economically desperate and trying to find ways to provide for his children. He had lost his mobile car wash business as a result of the COVID-19 pandemic, leaving him without any source of income to provide for he and his family.

His involvement in the conspiracy was as a courier. Following one of his trips to Mexico he was kidnapped at gunpoint by the very same individuals for whom he was working. He managed to escape that kidnapping and went back to his family. Following these events, he realized the depth of his involvement and the danger he was putting himself in. His life flashed before his eyes, thinking he would never see his children again. He was eventually apprehended and has remained in Federal custody since the date of his initial appearance on March 3, 2022.

After the completion of his incarceration and once placed on supervision, he hopes to receive a degree from culinary school, and to pursue opening his own food truck or restaurant someday. Richard is making the most out of his time while he has been in custody. He has participated in a variety of different programs. He completed all the stages of the living free program within the Kenosha County Detention Facility. The programs focus on AODA education, anger management, career education, coaching dad's clinic, criminal thinking, domestic abuse education, life skills, maleness to manhood, and sexual abuse education. Richard has graduated from the normal program phase, the extended stay phase, and the extended-extended stay phase. Each program runs for twelve weeks for 24-30 hours weekly. Once he completed these phases, Richard then became a peer mentor within the program to help guide and educate other inmates. He and two other peer mentors also created another 12-week phase, to make the entire program last a year and using his Spanish fluency, Richard began to teach a phase of the program in Spanish to allow Spanish speaking inmates to take advantage of this great program.

Since his involvement in the living free program, Richard has been an inmate worker. He has been working in the kitchen at the detention center. He works 13-hour shifts, 7 days per week. Richard has been cooking, baking, and handling all of the available positions within the kitchen.

Richard finds himself incarcerated for the first time in 20 years. This has not been easy to deal with, knowing he is away from his children and mother. However, it has provided him with the time to reflect on his actions and to understand the damage he caused. He has had the opportunity to think about his family and what he wants the rest of his life. To think about the type of father he wants to be and the example he wants to set for his children, most importantly his youngest daughter who is navigating her formative years without both of her parents.

For the above reasons, the proposed sentence strikes an appropriate balance between the seriousness of the offense, Richard Mosqueda's personal characteristics, his level of involvement, deportation, and lack of prior criminal record.

Very truly yours,

Electronically Signed by Patrick K. Cafferty
Cafferty & Scheidegger, S.C.
Attorney for Richard Mosqueda
State Bar No. 1022402
840 Lake Avenue, Suite 300
Racine, WI 53403

KENOSHA COUNTY DETENTION CENTER
LIVING FREE PROGRAM
LETTER OF COMPLETION

Date: **08/26/22**

Re: **Mr. Richard Mosquedo** - successful completion of the Living Free Program

To Whom It May Concern:

This letter is to verify that **Mr. Mosquedo** has completed the Living Free Program. The Living Free Program is a twelve (12) week educational program (24 – 30hrs weekly) that provides education and counseling in the following areas: AODA Education; Domestic Abuse Education; Sexual Abuse Education; Parenting; Criminal Thinking; Anger Management; Vocational/Career Preparation; Life Skills and Health Education.

The following community agencies facilitate the Living Free Program: WoMen & Children's Horizons; Moore & Associates; the Kenosha County Health Department; the Kenosha County Job Center; the Hope Council of Kenosha.

By virtue of receiving this letter the above stated individual has demonstrated the ability to recognize his problems and has voluntarily enrolled himself in treatment opportunities to address their problems.

After completing the initial 12-week educational program, **Mr. Mosquedo** continues in the extended stay curriculum as a Peer Mentor in the Living Free Program. As he continues in the program, **Mr. Mosquedo** continuous growth makes him more valuable every day. It shows through his ability to communicate with others, his willingness to help others, and his dedication to becoming a better person. This is what makes **Mr. Mosquedo** stand out as an exceptional member of the living free program.

Program Start Date: **05/30/22**

Program Graduation Date: **08/22/22**

Sincerely,

Georgette Norris
Georgette Norris - Programs Manager
Kenosha County Sheriff's Department
4777 88th Avenue
Kenosha, WI 53144
262.605.5803

CERTIFICATE OF COMPLETION

THIS CERTIFIES THAT

RICHARD MOSQUEDO

Has completed the next phase of the *Living Free Program*.

EXTENDED-STAY CURRICULUM

The *Extended-Stay Curriculum* offers the next stage of treatment in the following programs:
Anger Management, Health Issues, Sex Abuse Education, Domestic Abuse Education,
Parenting, Relapse Prevention, AODA Education, Criminal Thinking, Vocational/Career
Education, and Life Skills

This 14th Day of November in the Year 2022


Georgette Norris
Georgette Norris, Programs Manager
Kenosha County Sheriff's Department

KENOSHA COUNTY DETENTION CENTER
LIVING FREE PROGRAM
LETTER OF COMPLETION

Date: 12/13/22

Re: **Mr. Richard Mosqueda**- successful completion of the Living Free Program

To Whom It May Concern:

This letter is to verify that **Mr. Mosqueda** has completed the Living Free Program. The Living Free Program is a twelve (12) week educational program (24 – 30hrs weekly) that provides education and counseling in the following areas: AODA Education; Domestic Abuse Education; Sexual Abuse Education; Parenting; Criminal Thinking; Anger Management; Vocational/Career Preparation; Life Skills and Health Education.

The following community agencies facilitate the Living Free Program: WoMen & Children's Horizons; Moore & Associates; the Kenosha County Health Department; the Kenosha County Job Center; the Hope Council of Kenosha.

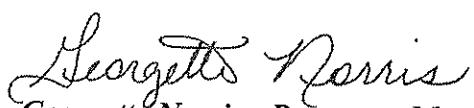
By virtue of receiving this letter the above stated individual has demonstrated the ability to recognize his problems and has voluntarily enrolled himself in treatment opportunities to address their problems.

Upon completing the initial 12-week educational program, **Mr. Mosqueda** has also completed the 12-week extended stay curriculum as a Peer Mentor in the Living Free Program. While in the program, **Mr. Mosqueda** began to teach other participants Spanish. Spanish classes are conducted every Tuesday and he has at least 10 participants that participate weekly. Way to go Richard, a bonus to the Living Free Program. **Mr. Mosqueda** is great when it comes to communicating with others, helping others, and being a great leader. It is wonderful to have someone such as **Mr. Mosqueda** that can be looked at as a role model and an inspiration to our program.

Program Start Date: 09/02/22

Program Graduation Date: 11/24/22

Sincerely,


Georgette Norris - Programs Manager
Kenosha County Sheriff's Department
4777 88th Avenue
Kenosha, WI 53144
262.605.5803

CERTIFICATE
of ACHIEVEMENT

THIS ACKNOWLEDGES THAT

RICHARD MOSQUEDA

HAS SUCCESSFULLY COMPLETED THE

EXTENDED-EXTENDED STAY of the Living Free Program

This 12-Week Program consists of treatment for: AODA Education, Anger Management, Career Education, Coaching Dad's Clinic, Criminal Thinking, Domestic Abuse Education, Life Skills, Maleness to Manhood, and Sex Abuse Education

PEER MENTOR
FEBRUARY 17, 2023

Georgette Norris

Georgette Norris, Programs Manager
Kenosha County Sheriff's Department

CERTIFICATE of ACHIEVEMENT

THIS ACKNOWLEDGES THAT

Richard Mosqueda

HAS BEEN AWARDED

PEER OF THE WEEK

THE STRENGTH OF A LION



On this date: **12/26/22**

THE WILL OF AN ANT.